



United States  
Department of  
Agriculture

Agricultural  
Marketing  
Service

STOP 0201 - Room 3071-S  
1400 Independence Avenue, SW.  
Washington, D.C. 20250-0201

September 6, 2002

Mr. Jose Manuel SOUSA UVA  
Director  
Directorate A.II  
DG Agriculture  
European Commission  
Rue de Loi 200  
1049 BRUSSELS

Dear Mr. SOUSA UVA:

The Department of Agriculture (USDA) has recently learned that certain European Union (EU) Member States authorities responsible for granting import authorizations for organic products under Article 11.6 of Council Regulation 2092/91 have indicated that authorizations for United States organic agricultural products will be revoked on or before October 20, 2002. We understand this action is being contemplated by the Member State authorities based on their assumption that, upon accreditation by USDA's National Organic Program (NOP), USDA accredited certifying agents may not certify organic agricultural products to standards other than those of the USDA's NOP.

This is not the case. With this letter, we will clarify that the impending implementation of the NOP will have no impact on the ability of U.S. organic certifying agents to certify products to other standards, including EU 2092/91 or its equivalent, for export.

It is our understanding that import authorizations are granted based upon the Member State competent authority's determination that the product was produced according to a standard equivalent to 2092/91. Further, it is our understanding that current import authorizations for U.S. organic products are based on the competent authority's determination that the individual U.S. certifier's standards are equivalent to 2092/91. As the NOP expressly permits certification to an export standard, (7 C.F.R. 205.307 (c)), USDA accredited certifiers can continue to certify to the standard that is presently determined to be equivalent by the Member State authority. Therefore, the basis for the current import authorizations granted by Member State competent authorities is unchanged.

We hope this information clarifies the ability of a USDA accredited certifying agent to apply a standard other than that of the NOP to exported organic product.

Mr. Jose Manuel SOUSA UVA  
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Should you have additional questions or concerns, please contact Keith Jones, Director, Program Development, National Organic Program, Agricultural Marketing Service. Mr. Jones may be reached by phone at (202) 720-3252 or by e-mail via [keith.jones@usda.gov](mailto:keith.jones@usda.gov).

  
A. J. Yates  
Administrator

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